

Department of the Interior

§ 1401.100

(c) Disposition of Federal real and personal property and natural resources; and

(d) Any other nonprocurement transactions between the Department and a person.

§ 1400.1010 Suspending official (Department of the Interior supplement to the definition at 2 CFR 180.930).

The Suspending Official for the Department of the Interior is the Director, Office of Acquisition and Property Management.

Subpart J [Reserved]

PART 1401—REQUIREMENTS FOR DRUG-FREE WORKPLACE (FINANCIAL ASSISTANCE)

Subpart A—Purpose and Coverage

Sec.

1401.100 What does this part do?

1401.105 Does this part apply to me?

1401.110 What policies and procedures must I follow?

1401.115 Are any of my Federal assistance awards exempt from this part?

1401.120 Does this part affect the Federal contracts that I receive?

Subpart B—Definitions

1401.205 Award.

1401.210 Controlled substance.

1401.215 Conviction.

1401.220 Cooperative agreement.

1401.225 Criminal drug statute.

1401.230 Debarment.

1401.235 Drug-free workplace.

1401.240 Employee.

1401.245 Federal agency or agency.

1401.250 Grant.

1401.255 Individual.

1401.260 Recipient.

1401.265 State.

1401.270 Suspension.

Subpart C—Requirements for Recipients Other Than Individuals

1401.300 What must I do to comply with this part?

1401.305 What must I include in my drug-free workplace statement?

1401.310 To whom must I distribute my drug-free workplace statement?

1401.315 What must I include in my drug-free awareness program?

1401.320 By when must I publish my drug-free workplace statement and establish my drug-free awareness program?

1401.325 What actions must I take concerning employees who are convicted of drug violations in the workplace?

1401.330 How and when must I identify workplaces?

1401.335 Whom in the DOI does a recipient other than an individual notify about a criminal drug conviction?

Subpart D—Requirements for Recipients Who Are Individuals

1401.400 What must I do to comply with this part if I am an individual recipient?

1401.401 Whom in the DOI does a recipient who is an individual notify about a criminal drug conviction?

Subpart E—Responsibilities of Department of the Interior Awarding Officials

1401.500 What are my responsibilities as a DOI awarding official?

Subpart F—Violations of this Part and Consequences

1401.600 How are violations of this part determined for recipients other than individuals?

1401.605 How are violations of this part determined for recipients who are individuals?

1401.610 What actions will the Federal Government take against a recipient determined to have violated this part?

1401.615 Are there any exceptions to those actions?

AUTHORITY: 5 U.S.C. 301; 31 U.S.C. 6101 note, 7501; 41 U.S.C. 252a; 41 U.S.C. 701–707.

SOURCE: 75 FR 71008, Nov. 22, 2010, unless otherwise noted.

Subpart A—Purpose and Coverage

§ 1401.100 What does this part do?

This part requires that the award and administration of the DOI grants and cooperative agreements comply with Office of Management and Budget (OMB) guidance implementing the portion of the Drug-Free Workplace Act of 1988, 41 U.S.C. 701–707, as amended (hereinafter, “the Act”) that applies to grants. It thereby—

(a) Gives regulatory effect to the OMB guidance (Subparts A through F of 2 CFR Part 182) for DOI’s grants and cooperative agreements; and

§ 1401.105

2 CFR Ch. XIV (1–1–14 Edition)

(b) Establishes DOI policies and procedures for compliance with the Act that are the same as those of other Federal agencies, in conformance with the requirement in 41 U.S.C. 705 for government-wide implementing regulations.

§ 1401.105 Does this part apply to me?

This part and, through this part, pertinent portions of the OMB guidance in Subparts A through F of 2 CFR part 182 apply if you are—

(a) A recipient of an assistance award from the Department of the Interior; or

(b) The Department of the Interior awarding official.

The following table (will be incorporated into 2 CFR part 182) shows the subparts that apply to you:

If you are	See subparts
(1) A recipient who is not an individual ...	A, C and F.
(2) A recipient who is an individual	A, D and F.
(3) A Department of the Interior awarding official.	A, E and F.

§ 1401.110 What policies and procedures must I follow?

(a) *General.* You must follow the policies and procedures specified in applicable sections of the OMB guidance in Subparts A through F of 2 CFR part 182, as implemented by this part.

(b) In implementing OMB guidance in 2 CFR part 182, this part supplements four sections of the guidance, as shown in the following table. For each of those sections, you must follow the policies and procedures set forth in the OMB guidance, as supplemented by this part.

Section of OMB guidance	Section in this part where supplemented	What the supplementation clarifies
(1) 2 CFR 182.225(a)	§ 1401.335	Whom in the DOI a recipient other than an individual must notify if an employee is convicted for a violation of a criminal drug statute in the workplace.
(2) 2 CFR 182.300(b)	§ 1401.401	Whom in the DOI a recipient who is an individual must notify if he or she is convicted of a criminal drug offense resulting from a violation occurring during the conduct of any award activity.
(3) 2 CFR 182.500	§ 1401.600	Who in the DOI is authorized to determine that a recipient other than an individual is in violation of the requirements of 2 CFR Part 182, as implemented by this part.
(4) 2 CFR 182.505	§ 1401.605	Who in the DOI is authorized to determine that a recipient who is an individual is in violation of the requirements of 2 CFR Part 182, as implemented by this part.

(c) *Sections of the OMB guidance that this part does not supplement.* For any section of OMB guidance in Subparts A through F of 2 CFR Part 182 that is not listed in paragraph (b) of this section, DOI policies and procedures are the same as those in the OMB guidance.

§ 1401.115 Are any of my Federal assistance awards exempt from this part?

This part does not apply to any award if the Director, Office of Acquisition and Property Management (PAM), determines that the application of this part would be inconsistent with the international obligations of the United States or the laws or regulations of a foreign government.

§ 1401.120 Does this part affect the Federal contracts that I receive?

It will affect future contract awards indirectly if you are debarred or suspended for a violation of the requirements of this part, as described in § 1401.610(c). However, this part does not directly apply to procurement contracts. The portion of the Drug-Free Workplace Act of 1988 that applies to Federal procurement contracts is carried out through the Federal Acquisition Regulation in 48 CFR part 23, subpart 23.5.

Subpart F—Definitions

§ 1401.205 Award.

Award means an award of financial assistance by DOI or other Federal agency directly to a recipient.